



To Whom It May Concern:

This is a request by the Riverkeeper, Inc., for U.S. Environmental Protection Agency (“EPA”) records (and records under the control of the EPA) submitted pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.

On behalf of our members, partners, and the public – including the Superfund Site CAG, for which I sit on the Steering Committee and with which these records will be shared – we hereby request the following:

1. All correspondence or other records of communications dated January 1, 2014 to the present between EPA Region 2 and the City of New York (including all agents and agencies of the City of New York) regarding Newtown Creek’s combined sewer system (“CSOs”) and separate storm sewer system (“MS4s”);
2. All correspondence or other records of communications dated January 1, 2014 to the present between the EPA Region 2 and other parties (including, but not limited to members of the Newtown Creek Group) regarding Newtown Creek’s CSOs and MS4s;
3. All correspondence, materials, and records sent by EPA Region 2 to the Contaminated Sediments Technical Advisory Group or its members regarding Newtown Creek, dated January 2010 to the Present;
4. All technical documentation, such as plans, reports, designs, and surveys, that are in the possession of the EPA, or cited or relied upon by the EPA in its review, regarding Newtown Creek CSOs MS4s – including but not limited to Phase 1 and Phase 2 raw data collected over the past several years;
5. All maps and charts in the EPA’s possession or control that relate to the Newtown Creek Superfund site, including but not limited to bathymetric charts of the Creek;
6. All risk assessment materials, including all data, materials collected by the EPA to inform EPA assessments, and draft risk assessment documents and reports; and
7. All communications, reports, and data submitted by Anchor QEA and the Newtown Creek Group to the EPA since October 1, 2015.

Please provide responsive documents in an electronic format (such as PDF). If you are able to send responsive documents via email, please send to sdixon@riverkeeper.org.

Copies of responsive documents may be delivered to the following address:

Sean Dixon
Riverkeeper
20 Secor Road
Ossining, NY 10562

As Riverkeeper is a non-profit organization working in the public interest to further open and transparent discourse over issues affecting some the most vulnerable social and environmental regions in the nation, and are seeking this information for the benefit of the public, we ask that you waive any fees associated with this request, or in the alternative, that you inform us if the cost will exceed \$25.00 before sending any documents.

This information, vital to the general public interest as well as several ongoing public processes, should not be subject to any FOIA exemptions. The material requested specifically concerns operations of the government, would clearly, significantly, and immediately contribute to the public's understanding of government processes and many outstanding applications, and will not be used for any commercial purposes. Riverkeeper hereby ask that access to these documents be granted within twenty (20) calendar days of this request.

Riverkeeper also asks that if the EPA determines that any of the information requested herein is exempt from FOIA, that said information be identified by document, along with the statutory basis for your claim and your reasons for not exercising your discretion to release this information. If your office determines some of the portions of the requested materials are exempt, we request, in accordance with FOIA, that we be provided with the remaining non-exempt portions.

Please direct any correspondence in regards to this FOIA request and request for waiver of fees to Sean Dixon, Staff Attorney, Riverkeeper, at the addresses and numbers listed below.

Thank you for your understanding and cooperation.

Sincerely,

Sean Dixon, Staff Attorney
Riverkeeper, Inc.
20 Secor Road
Ossining, NY 10562
(914) 478-4501 x247